

Dorothy Rosensweig (DR-6006)  
 EPSTEIN BECKER & GREEN, P.C.  
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 Attorneys for Defendant  
 UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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MAJOR KHAN,	:
	:
Plaintiff,	:
	:
- against -	:
	:
UBSFS FINANCIAL SERVICES, INC.,	:
	:
	:
Defendant.	:
	:
----- X	

05 CV 4922 (SHS) (DF)  
 Filed Under Seal  
**DEFENDANT'S RULE 56.1**  
**STATEMENT OF UNDISPUTED**  
**MATERIAL FACTS**

**DEFENDANT'S STATEMENT OF UNDISPUTED MATERIAL FACTS**

Defendant UBS Financial Services Inc. ("UBSFS" or the "Firm"),<sup>1</sup> by and through its attorneys, Epstein Becker & Green, P.C., pursuant to Local Civil Rule 56.1 of the United States District Courts for the Southern and Eastern Districts of New York, hereby submits the following statement of undisputed material facts as to which there is no genuine issue to be tried.<sup>2</sup>

1. Plaintiff Mohammad Mahmood Khan ("Khan"), suing herein as Major Khan, filed his Complaint on May 23, 2005. (Rosensweig Decl. Exs. AA (Complaint); BBB

<sup>1</sup>In this Rule 56.1 Statement, UBS Financial Services Inc., and its predecessors PaineWebber and UBS PaineWebber, are referred to as "UBSFS." All declarations and Exhs. referenced in this Rule 56.1 Statement are attached to the Declaration of Dorothy Rosensweig ("Rosensweig Decl."), which is submitted herewith under separate cover and is being filed under seal.

<sup>2</sup> For purposes of this motion only, UBSFS accepts as true the various statements made by plaintiff Major Khan that are cited herein.